

Domestic Abuse Incident Report (DAIR)

For the period of January 1, 2008 – December 31, 2008



Wisconsin Department of Justice
Office of Crime Victim Services
Compiled December 2009

2008 Domestic Abuse Incident Report (DAIR)

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2008 Domestic Abuse Incident Report (DAIR)

Introduction

The Wisconsin Department of Justice's Office of Crime Victim Services, with the cooperation of district attorneys' offices across the state, presents the 2008 Wisconsin Domestic Abuse Incident Report. The purpose of the report is to provide a snapshot of domestic violence in Wisconsin using data reported to the Department by counties in compliance with Wisconsin Statutes, s. 968.075(9).

Acknowledgements

The Department thanks those who work diligently to contribute accurate data to this report. Primary contributors to this report include district attorneys' offices, victim/witness offices and law enforcement agencies throughout the state. The cooperation of these individuals and agencies makes a statewide report of domestic violence data possible. The Department recognizes that the district attorneys who oversee the accurate reporting of data from their counties exhibit a sincere dedication to their community, to victims of domestic violence and to efforts to reduce domestic violence through informed public policy.

Report Methodology

Under Wisconsin Statutes, s. 968.075 (9), each county is required to provide data regarding domestic abuse incidents to the Department of Justice. For most counties, compliance with this requirement is achieved when the Department uses an automated system to extract county level data entered into the PROTECT system (a case management system used by a majority of Wisconsin district attorneys' offices). Counties who do not use PROTECT enter data into a custom web-based application. Data from both sources are extracted for the reporting year (January 1 through December 31) in July of the following year. This time delay makes it possible to include dispositions and sentences in the report. The data is combined in a DOJ database which generates reports and tables.

In 2008, Milwaukee County started using PROTECT but data was not entered entirely into PROTECT, making it necessary to report on Milwaukee as in past reports: using data sent to the Department and entered manually. Domestic homicide statistics are compiled using aggregate data from the Wisconsin Office of Justice Assistance Statistical Analysis Center.

Definitions

- **Domestic abuse** is defined by Wisconsin Statutes, s.968.075, as the intentional infliction of physical pain, injury or illness; intentional impairment of physical condition; sexual assault; or a physical act that causes the other person to reasonably fear that any of these actions will occur.
- Domestic abuse applies to acts engaged in by an **adult** person against his or her spouse, former spouse, an adult with whom the person resides or formerly resided, or

an adult with whom the person has a child in common. (Only the domestic homicide report contains statistics of victims or perpetrators under age 18.)

- This report defines an **offender** as a person who perpetrates **domestic abuse** and has contact with a law enforcement agency as a result of the offense, regardless of whether an arrest is made.
- The **victim** is defined as a person who is the target of domestic abuse and has contact with a law enforcement agency as a result, regardless of whether an arrest is made.
- An **incident** is defined as a single occurrence of domestic abuse that is reported to the district attorney's office.

Limitations

- The Domestic Abuse Incident Report reflects only those incidents reported to law enforcement *and* referred to district attorney's offices. For a variety of reasons, such as fear for safety, lack of resources, religious beliefs and personal philosophy, domestic abuse is often not reported to law enforcement. Therefore, the data should be used as a significant representation of domestic violence in Wisconsin, but not as a complete picture.
- Statistics in this report should not be directly compared to statistics from reports produced prior to 2003 due to significant differences in report methodology. Reports from 2003 forward can be compared to one another.
- A significant limitation to this report is the absence of data from counties. Racine, Menomonie and Vernon County did not submit 2008 data. LaCrosse County submitted data but did not enter data regarding the relationship between victim and offender. Milwaukee County contributed data for the report but it cannot be fully integrated. Data pertaining to Milwaukee County is specifically noted. Analysis should take these exclusions into consideration.
- Any reference to a statute reflects the statute as it was worded during the reporting year.

For more Information

- The Department of Justice Office of Crime Victim Services is located at 17 West Main Street, Madison, WI 53707. Phone: (608) 264-6368
- Visit us online at www.doj.state.wi.us/cvs
- Specialized reports for individual counties may be available upon request. Call (608) 261-8645 for more information.

2008 Domestic Abuse Incident Report (DAIR)

Executive Summary

- **There were 29,769 domestic abuse incidents** reported to law enforcement and referred to district attorneys offices in Wisconsin in 2008, compared to **29,667** incidents in 2007.
- **Milwaukee County** reported 9,449 incidents of domestic violence reported to law enforcement and referred to district attorneys' offices. As in past years, Milwaukee County incidents comprised approximately one-third of all reported incidents (32%) in 2008.
- **Age of victims** (outside Milwaukee County): The age distribution of victims outside of Milwaukee County was almost identical to the previous year. Nearly half of all victims (45%) were 18-29 years old. Approximately one-quarter of victims (24%) were 30 – 39 years old. Nineteen percent of victims were 40 – 49 years old and twelve percent of victims were 50 years of age and older.
- **Victim/Offender Relationship** (outside Milwaukee County): In 2008, the most common relationship reported between offenders and victims, as determined by law enforcement, was that of spouse/ex-spouse (29%), followed by partner/ex-partner from a dating relationship (25%) and cohabitant/ex-cohabitant (22%). Twelve percent were family members and ten percent had a child in common.
- **Arrest Rate:** The arrest rate for domestic incidents continues an upward trend. During the last five years of data collection, the arrest rate outside of Milwaukee County has risen from 60% in 2003, to a 77% in 2008, up 5% from 2007. The arrest rate for Milwaukee County held steady in 2008 at 47%.
- **Dual Arrest Rate (outside Milwaukee County):** The rate of dual arrest remained low in 2008 with less than one percent of reported incidents reported as a “dual situation” or dual arrest.
- **Charges Issued (outside Milwaukee County):** The most common charge issued in domestic violence cases statewide in 2008 was disorderly conduct, followed by battery. The third most common charge issued in 2008 was a municipal or ordinance violation.
- **Charges Issued (in Milwaukee County):** The most common charge issued in domestic violence cases in Milwaukee County in 2008 was battery (35%), followed by disorderly conduct (21%) and misdemeanor bail jumping (12%).
- **Sentencing Data (Outside of Milwaukee County):**

In 2008, half of all reported sentences related to a domestic abuse incident (outside of Milwaukee County) included some form of **financial condition**, most often payment of court costs and/or a fine/forfeiture.

2008 Domestic Abuse Incident Report (DAIR) Executive Summary

- **Sentencing Data Outside of Milwaukee County (cont.):**

17% of all sentences included a period of **confinement**, while 12% of all sentences included some component of community **supervision**.

16% of all sentences included some type of **behavioral requirement** (such as attending a class or AODA treatment) or a prohibition (such as a no-contact order, or firearm prohibition).

4% of all reported sentences were reported to be **deferred**.

- **Milwaukee County Sentences**

Behavioral conditions were imposed as part of sentences for domestic abuse crimes in 43% of the sentences imposed during 2008. **Financial** conditions were imposed as part of 20% of all reported sentences.

Confinement was imposed in 14% of all sentences for domestic abuse crimes.

The imposition of **supervision** was part of 10% of reported sentences for domestic abuse crimes.

Ten percent of domestic abuse sentences including a **stayed jail** term.

Confinement was imposed in 14% of domestic abuse sentences. **Deferred prosecution agreements** were utilized in one percent of all reported domestic violence dispositions in 2008.

- **Domestic Homicide**

Nearly one-third of all Wisconsin counties had at least one domestic abuse related homicide in 2008. There were 54 domestic homicides reported in 23 counties, up slightly from the previous year during which there were 51 domestic homicides reported.

The youngest victim in 2008 was just days old; the eldest was 66.

26% of all domestic homicide victims were children and all but one were killed by a parent. Nearly two-thirds of child victims were 2 years old or younger.

Most victims were killed in their own residence (69%) or the offender's residence (20%); the most common type of weapon used was a firearm (30%), followed by a knife (22%).

31% of all victims were killed by one of their parents; 22% by a spouse or ex-spouse; and 17% had a dating/ex-dating relationship with the offender.

**Wisconsin Department of Justice
Office of Crime Victim Services**

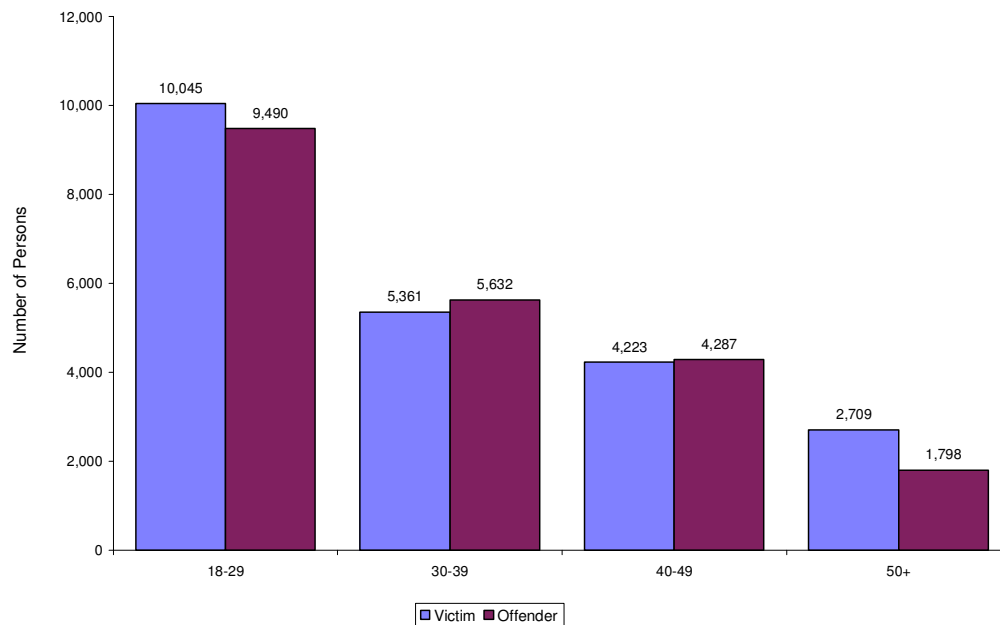
2008 Domestic Abuse Incident Report (DAIR)

Reported Incidents

- **29,769 domestic abuse incidents** were reported to law enforcement and referred to district attorneys' offices in Wisconsin in 2008.

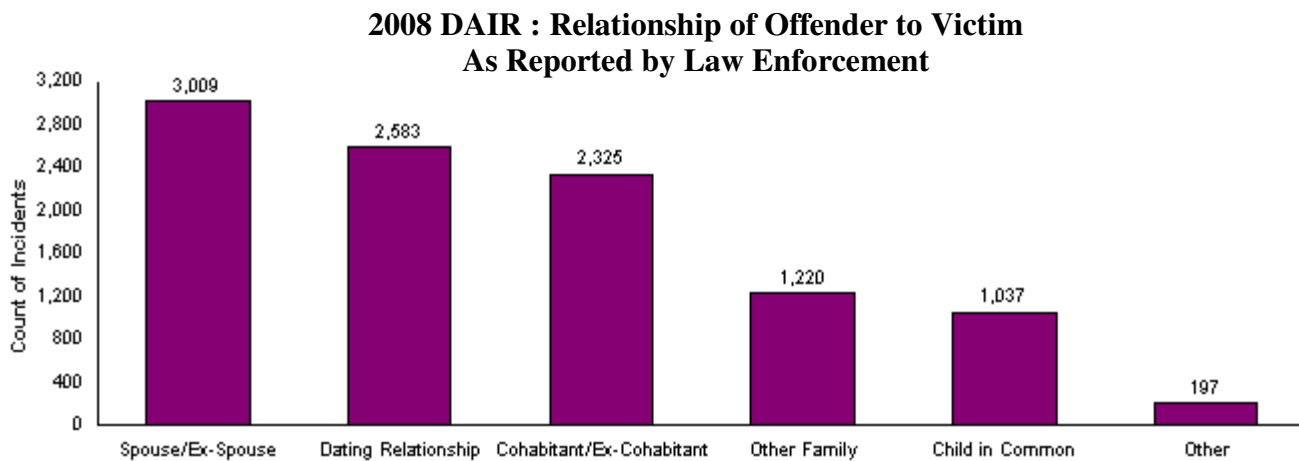
Age of Victims and Offenders

2008 DAIR: Age of Victims and Offenders



- Forty-five percent of all victims were 18-29 years old.
- Twenty-four percent of victims were 30 – 39 years old.
- Nineteen percent of victims were 40 – 49 years old.
- Twelve percent of victims were 50 years of age or older.

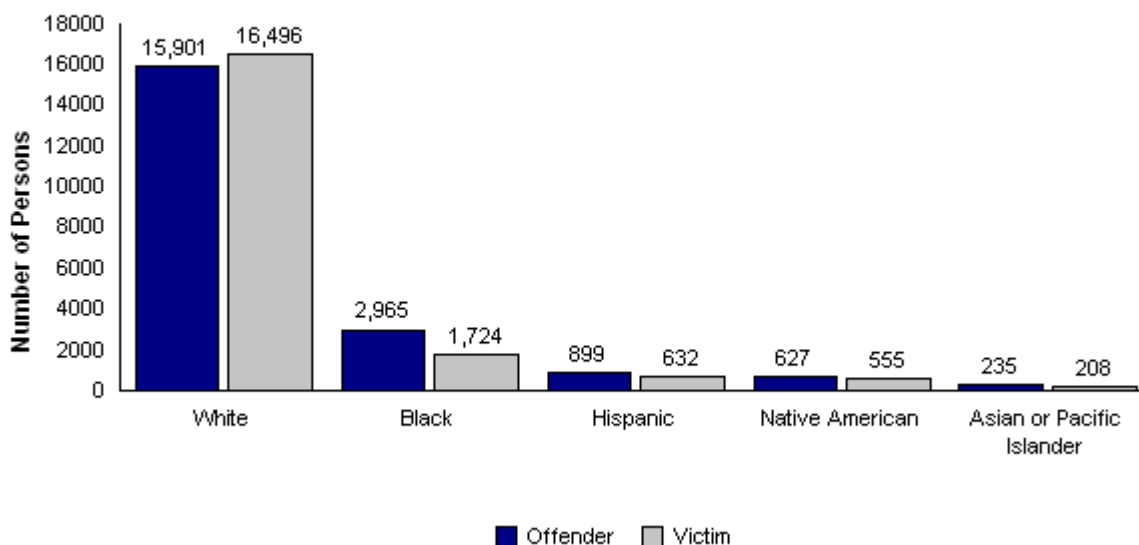
Victim/Offender Relationship



- In 2008, the most common relationship between offenders and victims was that of spouse/ex-spouse (29%), followed closely by partners/ex-partners from a dating relationship (25%) and cohabitants/ex-cohabitants (22%).
- Twelve percent of victims and offenders were family members and ten percent had a child in common.

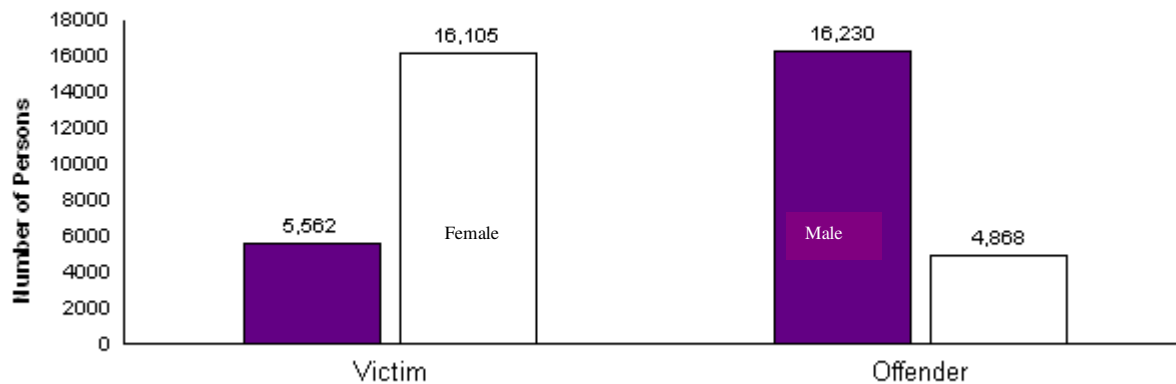
Ethnicity

2008 DAIR: Ethnicity of Victims and Offenders



Gender

2008 DAIR: Gender



Law Enforcement Response to Incidents

- **Wisconsin Mandatory Arrest Provisions:**

Wis. Stat. 968.075 requires law enforcement to arrest a suspect if an officer has probable cause that a person has violated a domestic abuse, child abuse or harassment restraining order or injunction or a foreign protection order.

Law enforcement officer must arrest and take a person into custody if the officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime; and **any** of the following apply:

- a. The officer has a reasonable basis for believing that continued domestic abuse against the alleged victim is likely.
- b. There is evidence of physical injury to the alleged victim.
- c. The person is the predominant aggressor.

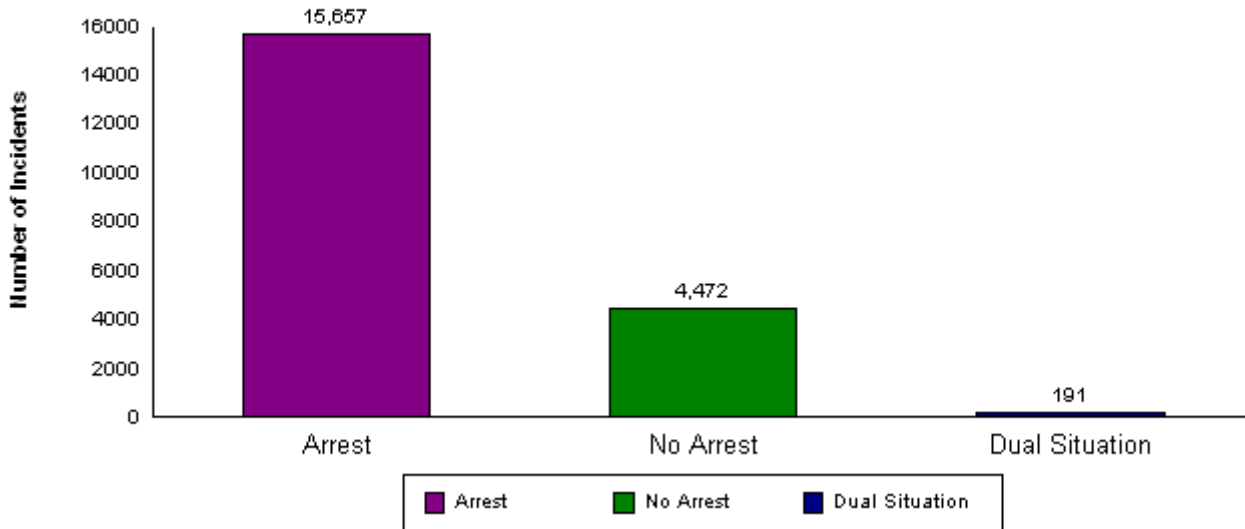
If the crime is reported more than 28 days after the occurrence, arrest is discretionary.

Dual Arrest: Wisconsin law states that if a law enforcement officer identifies the predominant aggressor, **it is generally not appropriate** for a law enforcement officer to arrest anyone other than the predominant aggressor. Predominant aggressor is defined as the most significant, *but not necessarily the first*, aggressor in a domestic abuse incident.

Municipal Citations: A law enforcement officer may not issue a citation to a person for an offense if the officer is required to arrest the person for that offense under s.968.075 (2) [Wis. Stat. 968.085 (8) INAPPLICABILITY TO CERTAIN DOMESTIC ABUSE CASES].

Law Enforcement Response to Incidents (cont.)

2008 DAIR: Law Enforcement Response



Dual Situation refers to an incident in which more than one person was charged with a domestic abuse offense (whether or not an arrest was made) and/or an incident in which more than one person was arrested.

- **Arrest Rate:** In 2008, an arrest was made in 77% of the reported incidents (outside of Milwaukee County), up from 72% in 2007.
- **Dual Arrest Rate:** The rate of dual arrest remained low in 2008. A dual arrest or “dual situation” was reported in less than one percent of incidents.
- Milwaukee County is not included in graph above. Milwaukee County reported an arrest rate of 47% during 2008, down slightly from 50% in 2007. Milwaukee County does not report dual situations.

Law Enforcement Response: Comparison by County

The following table groups counties by population for more meaningful comparison of the reported law enforcement response within similar-sized jurisdictions (population taken from U.S. Census Bureau Estimates). *Note: extremely low arrest rates may indicate that the county is not collecting or reporting the data into the PROTECT or DARS system.*

County Population: 100,000 or more:

	Population	# Incidents	Arrest Rate	Dual Rate
Milwaukee	953,328	9,449	47.3%	Not Reported
Dane	482,705	3,260	79.8%	0.6%
Waukesha	380,629	952	82.4%	0.9%
Brown	245,018	1,230	75.5%	0.0%
Outagamie	174,993	814	98.8%	0.0%
Kenosha	164,465	732	84.0%	0.0%
Winnebago	162,111	858	99.7%	0.0%
Rock	160,213	1,199	89.9%	1.8%
Marathon	130,962	676	23.8%	0.0%
Washington	129,477	446	93.2%	6.7%
Sheboygan	114,561	496	84.8%	0.0%
La Crosse	112,627	950	89.2%	0.0%

County Population: 75,000 - 99,999

	Population	# Incidents	Arrest Rate	Dual Rate
Walworth	100,749	429	71.7%	0.0%
Fond Du Lac	99,453	337	89.6%	0.0%
Eau Claire	98,286	576	76.9%	2.9%
Dodge	87,912	390	48.9%	1.2%
Ozaukee	85,874	125	51.2%	0.0%
Jefferson	80,792	446	81.8%	2.6%
Manitowoc	80,641	324	15.7%	0.0%
Wood	73,756	306	68.6%	0.9%

County Population: 50,000 to 74,999

	Population	# Incidents	Arrest Rate	Dual Rate
St. Croix	82,487	441	67.5%	6.1%
Portage	68,744	54	100.0	0.0%
Chippewa	60,456	232	50.0%	0.0%
Sauk	59,013	298	94.9%	0.0%
Columbia	55,196	407	69.7%	1.7%
Waupaca	51,858	301	79.7%	0.0%
Grant	49,238	123	77.2%	0.8%

County Population: 25,000 to 49,999

	Population	# Incidents	Arrest Rate	Dual Rate
Barron	45,590	153	73.2%	2.6%
Marinette	42,288	157	74.5%	1.2%
Calumet	44,727	95	68.4%	0.0%
Douglas	43,774	281	73.6%	0.0%

Law Enforcement Response: Comparison by County (cont.)

County Population: 25,000 to 49,999 (con't)

	Population	# Incidents	Arrest Rate	Dual Rate
Polk	44,270	138	82.6%	0.7%
Monroe	43,350	245	86.1%	0.0%
Dunn	42,688	142	98.5%	0.0%
Shawano	40,972	147	96.6%	0.0%
Pierce	40,254	136	58.8%	0.7%
Oconto	37,529	110	36.3%	0.0%
Green	36,090	210	70.9%	1.4%
Oneida	36,031	123	2.4%	0.0%
Clark	33,553	87	95.4%	0.0%
Lincoln	29,499	82	98.7%	0.0%
Vernon	29,090	0	0	0
Trempealeau	27,790	116	71.5%	0.0%
Door	27,771	68	91.1%	0.0%
Juneau	26,633	150	76.0%	2.0%

County Population: Under 25,000

Note: Arrest "rates" are not meaningful in counties with low numbers of incidents and/or arrests. For that reason, arrests in the following counties are presented as totals, not rates.

	Population	# Incidents	# Arrests	# Duals
Waushara	24,760	59	0	0
Iowa	23,604	93	69	0
Vilas	21,919	116	89	0
Langlade	20,165	28	16	0
Kewaunee	20,388	54	44	0
Adams	20,325	100	85	2
Taylor	19,308	65	59	0
Jackson	19,904	44	42	0
Green Lake	18,566	72	64	0
Richland	17,982	56	0	0
Crawford	16,885	38	33	0
Ashland	16,295	81	62	0
Sawyer	17,117	66	46	3
Washburn	16,712	62	39	3
Lafayette	15,871	71	41	6
Burnett	16,196	73	50	8
Price	14,278	45	33	0
Bayfield	14,926	49	46	0
Rusk	14,389	106	66	0
Marquette	15,060	55	49	0
Buffalo	13,741	29	22	0
Forest	9,846	71	46	1
Pepin	7,357	20	16	0
Iron	6,197	8	6	0
Florence	4,652	17	10	0
Menominee	4,571	0	0	0

* Population counts taken from the U.S. Census Bureau 2008 Population Estimates

Charges Issued

- Outside Milwaukee County, the most common charge issued for a domestic abuse incident in 2008 was disorderly conduct.
- In Milwaukee County, the most common charge issued for a domestic abuse incident in 2008 was battery.

Top 10 Charges Issued *Outside Milwaukee County*

<u>Statute</u>	<u>Charge</u>	<u>Count</u>
947.01	Disorderly Conduct	11987
940.19(1)	Battery	5134
—	Municipal or Ordinance Violation	2755
943.01(1)	Criminal Damage to Property	1887
946.49(1)(a)	Bail Jumping-Misdemeanor	1448
946.41(1)	Resisting or Obstructing an Officer	652
Unknown	Unknown	586
940.44(1)	Intimidate Victim/Dissuade Reporting	430
946.49(1)(b)	Bail Jumping-Felony	414
940.19(2)	Aggravated Battery/Intent-Great Harm	333
940.30	False Imprisonment	296
943.14	Criminal Trespass to Dwelling	255
813.12(8)	Knowingly Violate a Domestic Abuse Order	206
947.012(1)(a)	Unlawful Phone Use-Threatens Harm	157
961.573(1)	Possess Drug Paraphernalia	156

Top 10 Charges Issued *Milwaukee County*

<u>Statute</u>	<u>Charge</u>	<u>Count</u>
940.19(1)	Battery	5274
947.01	Disorderly Conduct	2489
813.12(8)	Knowingly Violate a Domestic Abuse Order	750
946.49(1)(a)	Bail Jumping-Misdemeanor	553
943.01(1)	Criminal Damage to Property	513
940.19(2)	Substantial Battery-Intend Bodily Harm	299
946.41(1)	Resisting or Obstructing an Officer	145
812.125	Violate/Harassment Restraining Order	87
943.74	Criminal Trespass to Dwelling	62
941.20	Endanger Safety/Dangerous Weapon	56

Sentencing

Sentences imposed for domestic abuse offenses frequently contain a combination of behavioral and financial conditions with supervision and/or confinement requirements.

- **Definitions:**

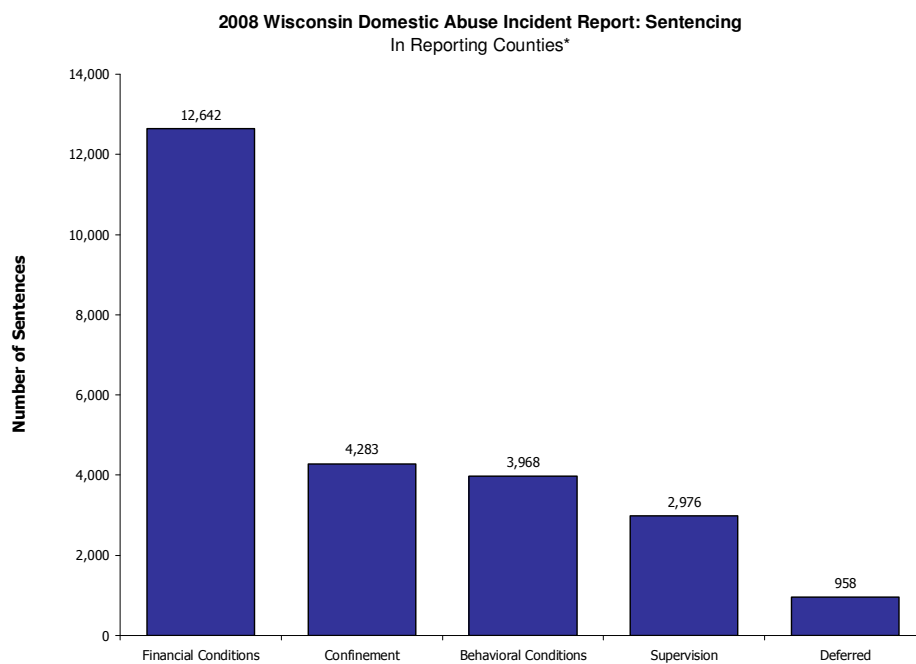
Behavioral Sentences: Behavioral sentences include *something an offender must do* as a condition of their sentence, such as performing community service, holding employment or attending a class or counseling (including AODA treatment). Behavioral sentences also include things *the offender is prohibited from doing*, such as having contact with the victim, using alcohol or possessing a firearm.

Confinement Sentences: Confinement sentences include jail or prison sentences.

Deferred Sentences: Deferred sentences include sentences that were imposed but stayed, withheld sentences and deferred prosecution agreements.

Financial Sentences: Financial sentences include the payment of court costs and restitution and the imposition of fines and surcharges, including the domestic abuse assessment. It also includes orders from the court to make special financial donations to community organizations.

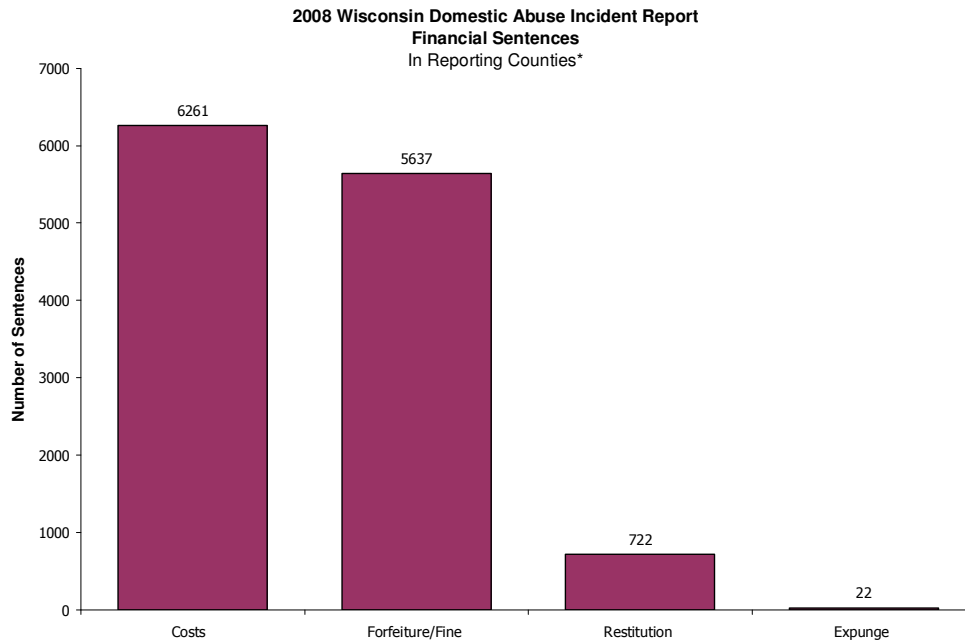
Supervision: Supervision sentences include some form of monitoring in the community, such as probation.



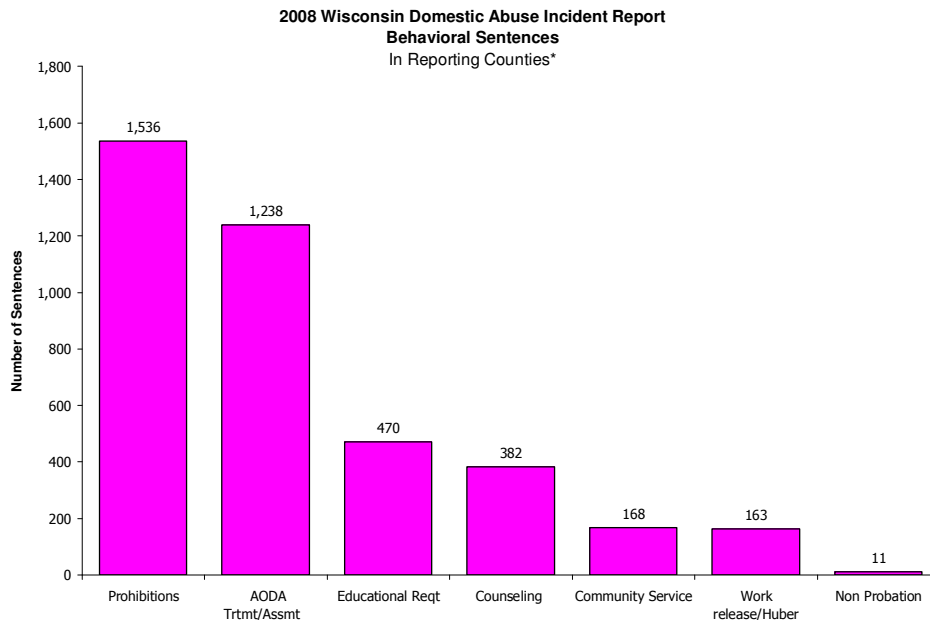
*Milwaukee, Racine, Menomonie and Vernon counties are not represented in this graph.

Sentencing (cont.)

- During 2008, 51% of all reported sentences included a financial condition. The types of financial conditions imposed are illustrated in the following graph:



- In 2008, 16% of reported sentences included some type of behavioral condition. The types of behavioral conditions imposed are illustrated in the following graph:



*Milwaukee, Racine, Menomonie and Vernon counties are not represented in this graph.

Sentencing (cont.)

The following tables contain sentencing data between 2003 and 2008.

Year	% Sentences Imposing Financial Conditions
2008	51
2007	51
2006	53
2005	52
2004	51
2003	45

Financial Conditions

In 2008, approximately half of all reported sentences outside of Milwaukee County included some form of financial condition, most often payment of court costs and/or a fine/forfeiture.

Year	% Sentences Imposing Confinement
2008	17
2007	15
2006	16
2005	15
2004	15
2003	14

Confinement

Year	% Sentences Imposing Behavioral Conditions
2008	16
2007	17
2006	14
2005	15
2004	16
2003	21

Behavioral Conditions

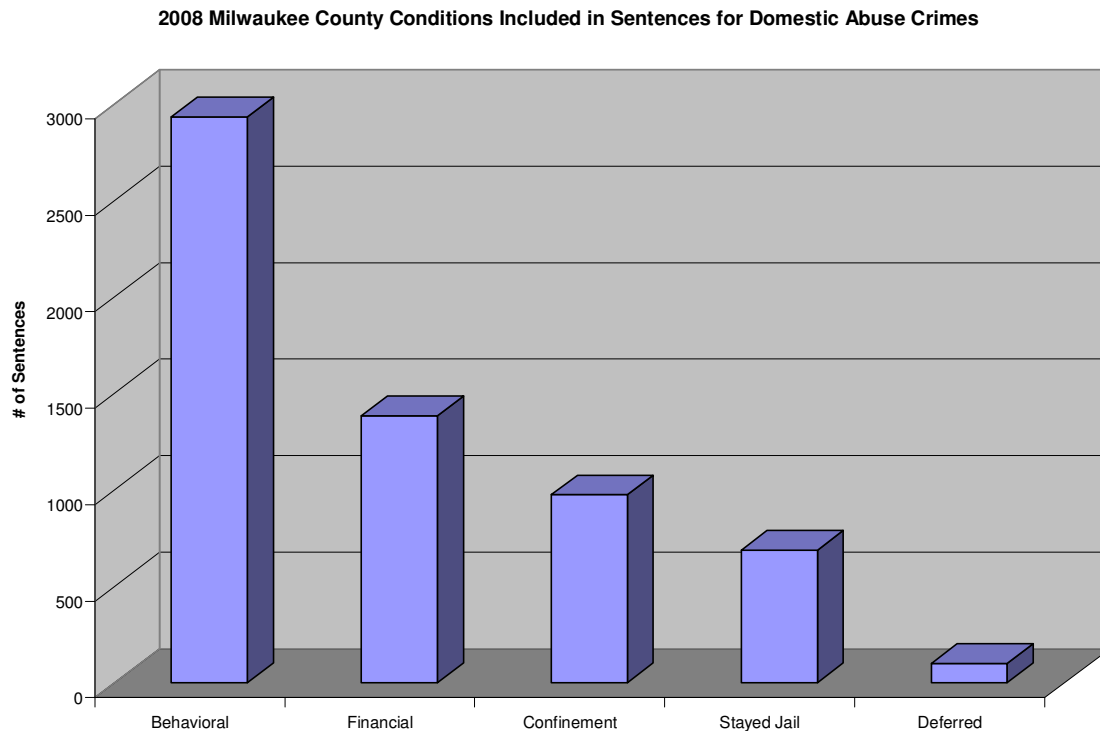
In 2008, approximately 16% of all sentences included either some type of behavioral requirement or prohibition. Of the behavioral requirements, the most commonly used were prohibitions (39%), AODA treatment (31%), educational requirements (12%) and counseling (10%).

Year	% Sentences Imposing Supervision
2008	12
2007	13
2006	13
2005	13
2004	14
2003	16

Supervision

- **Deferred Sentences:** Four percent of all reported sentences were reported to be deferred in 2008 (consistent with previous years).

Milwaukee County Sentencing



- Financial conditions were imposed as part of 20% of all reported sentences in 2008 in Milwaukee County, up from 17% in 2007.
- The use of behavioral conditions in Milwaukee County saw a slight decrease in 2008 from 46% during 2007 to 43% in 2008.
- In 2008, the imposition of supervision was part of 10% of reported sentences imposed in Milwaukee County, compared to 12% in 2007.
- In 2008, Milwaukee County courts ordered stayed jail terms in 10% of sentences, compared to 12% in 2007.
- In 2008, confinement was imposed in 15% of all Milwaukee County domestic abuse related sentences, compared to 13% in 2007.
- Deferred prosecution agreements were used infrequently in Milwaukee County during 2008 when 1.4% of all sentences for domestic abuse crimes involved a deferred prosecution agreement. This rate is slightly higher than the previous year during which less than one percent of sentences for domestic abuse crimes included a deferred prosecution.

Milwaukee County Domestic Abuse Prosecution

Every year, the Milwaukee County District Attorney's office reports a variety of statistics related to domestic abuse cases that are referred for prosecution. The following table details the disposition of misdemeanor and felony cases between 2001 and 2008. Please note that a "charge" is different than a "case." One case may involve several charges.

MILWAUKEE COUNTY DOMESTIC VIOLENCE CASES

	2001	2002	2003	2004	2005	2006	2007	2008
<i>Total Charges Referred:</i>								
Misdemeanors	9893	9504	7950	7536	8756	7749	8393	8805
Felonies	570	689	684	656	770	778	725	684
Total	10,463	10,193	8634	8192	9526	8527	9118	9489
<i>Charges Issued</i>								
Misdemeanors	5558	4720	4195	3872	4760	4695	4695	3369
Felonies	186	287	318	315	415	435	409	437
<i>Convictions</i>								
Misdemeanors	2759	2989	2531	1848	1666	1594	1690	1430
Felonies	116	172	226	230	216	210	224	248
Total Cases Dismissed	---	---	1596	1589	1276	1653	2094	1483
Total Cases Disposed	---	---	4150	3880	3158	3363	4070	3275

Domestic Homicide

Data Source

The following information is an analysis of data provided to the Department by the Office of Justice Assistance Statistical Analysis Center (OJA SAC). The data collected by OJA SAC is Uniform Crime Reporting data submitted by local law enforcement agencies.

Defining Domestic Homicide

For the purpose of this report, domestic homicide incidents are defined by the relationship between victim and perpetrator. The relationships that make a homicide a *domestic homicide* mirror those listed in Wisconsin's domestic abuse statutes: spouse/ex spouse, partner/ex-partner, adults with children in common, family members, those in a dating relationship or who used to be in a dating relationship, roommates and co-habitants.

Summary

There were 54 domestic homicides in 23 Wisconsin counties in 2008, up slightly from the previous year during which there were 51 domestic homicides reported. The youngest victim was just hours old; the eldest was 66. The weapon used most often was a firearm (in approximately one-third of incidents). The majority of victims were killed in their own residence.

Characteristics of 2008 Domestic Homicides

- **Child Victims:**

26% of all domestic homicide victims were children. All but one of the child victims were killed by a parent. Nearly two-thirds of child victims were 2 years old or younger.

- **Age of Adult Victims:**

25% of adult victims were between the ages of 18 and 29.
29% of adult victims were between the ages of 30 and 39.
23% of adult victims were between 40 and 49.
23% of adult victims were 50 years of age and older.

- **Relationship to Offender**

31% of all victims were killed by one of their parents.
22% of all victims were killed by a spouse or ex-spouse.
17% (9) of all victims had a dating/ex-dating relationship with the offender.
11% (6) of all victims were roommates with the offender.
7% of all victims were killed by one of their children.
4% of all victims were killed by a sibling.
1 victim was the child of the offender's boyfriend.
1 victim cohabitated with the offender.
1 victim was killed by an in-law.

Characteristics of 2008 Domestic Homicides (cont.)

- **Gender**

63% of domestic homicide victims were female.

85% of the perpetrators were male.

- **Homicide Location**

Most victims were killed in their own residence (69%) or the offender's residence (20%).

1 victim was killed on a highway/alley/street.

1 victim was killed in a parking garage.

2 victims were killed in the offenders' vehicles.

1 victim was killed in a residence.

The location of one homicide was unknown.

- **Weapons**

In 2008, the most common weapon used to kill victims was a firearm or knife followed by a "personal weapon" which is defined as hands, fists or feet.

16 (30%) victims were killed with some type of firearm in 2008 (compared to 39% in 2007).

12 (22%) victims were killed with a knife/cutting instrument in 2008 (compared to 8% in 2007).

11 (22%) victims were killed by a "personal weapon" in 2008 (compared to 11% in 2007).

1 victim was murdered by asphyxiation in 2008 (compared to 4 victims in 2007).

5 (9%) victims were killed with a blunt object in 2008 (compared to 8% in 2006).

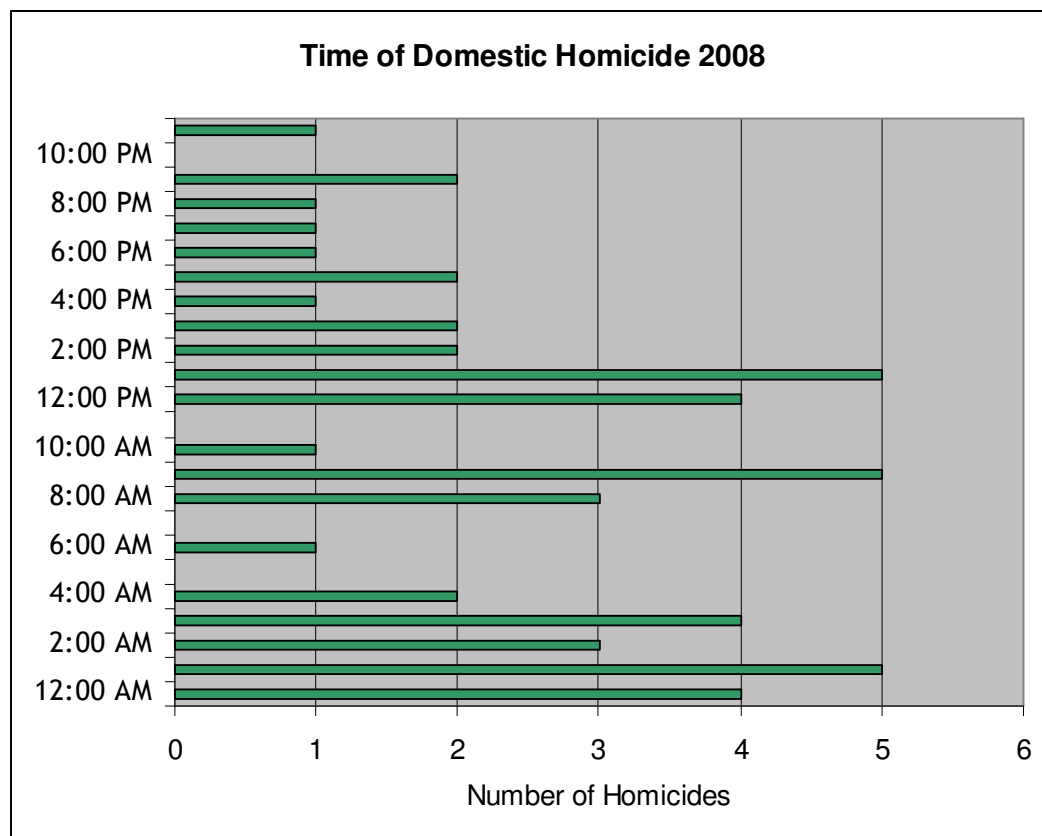
3 (6%) victims were killed by fire or an incendiary device in 2008 (the same number killed in that manner in 2007).

1 victim was killed by use of drugs/narcotics/pills.

The type of weapon used was not noted in 5 (9%) domestic homicides.

Characteristics of 2008 Domestic Homicides (cont.)

- **Time Domestic Homicide Occurred** (Reported to the nearest hour)



Wisconsin Coalition Against Domestic Violence **2008 Wisconsin Domestic Violence Homicide Report**

The Wisconsin Coalition Against Domestic Violence (WCADV) publishes an annual domestic violence homicide report. It does not use the same definitions or methodology as the preceding report because its primary focus is on intimate partner violence. The report provides a nuanced discussion about domestic homicide involving intimate partners and related public policy issues. It also does what data alone cannot do: in telling the stories of each victim, the report is a powerful reminder that behind each number is a person. The 2008 report is available online at: www.wcadv.org.

Related Public Policy Changes in 2008

The following acts, passed during the 2007 legislative session, went into effect during 2008:

2007 Wisconsin Act 127

Wisconsin Act 127 creates a new felony offense for strangulation and suffocation. In doing so, it defines petechia, an injury characteristic of many cases of strangulation, and lists petechia as an injury that constitutes “substantial bodily harm.”

“Petechia means a minute colored spot that appears on the skin, eye, eyelid, or mucous membrane of a person as a result of localized hemorrhage or rupture to a blood vessel or capillary.” s. 939.22(23).

Act 127 makes it a Class H felony to “intentionally impede the normal breathing or circulation of blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person.” If the perpetrator has a previous conviction for this offense or another violent crime, the penalty is enhanced to a Class G felony.

Research has shown that strangulation is a key indicator of heightened risk to victims and escalating violence by perpetrators of domestic violence.

2007 Wisconsin Act 184

Wis. Act 184 allows a residential tenant to terminate his or her lease and limits the rental liability for doing so if the tenant or a child of the tenant faces an imminent threat of serious physical harm from another person if the tenant were to remain on the premises. A tenant must give the landlord notice and provide certain documentation (such as specific court orders and/or criminal complaints) supporting the claim of imminent danger.

Act 184 also provides that a landlord may terminate a tenant’s lease if that tenant is the offending party whose threats or acts have caused another tenant, or a child of that tenant, to face an imminent threat of serious physical harm. Wis. Stat. 704.16.

Additionally, Act 184 makes a rental agreement void and unenforceable if it allows a residential landlord to increase rent, decrease services, refuse to renew a rental agreement or bring an action for possession of the premises as a result of the tenant contacting an entity for law enforcement, health or safety services. Wis. Stat. 704.44.

